

REMARKS

Claims 10-12 and 18 currently appear in this application. The Office Action of August 1, 2006, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Rejections under 35 U.S.C. 112

Claims 6-8 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claims 6-8 and 15 have been cancelled. Claim 10 has been amended to define the recording capacity of the claimed optical recording medium. Support for this amendment can be found in the specification as filed at page 37, first full paragraph. Claim 10 has also been amended to delete the phrase "an organic metal complex as" from the definition of "X". Claims 12 and 18 have been amended to define the case when "one or more appropriate light-resistant improvers" are used as a counter ion for the styryl dye. Support for this amendment

can be found in the specification as filed in the paragraph bridging pages 31 and 32.

Art Rejections

Claims 6-8 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 60-083892.

Claims 6-8 have been cancelled and claim 10 has been amended to distinguish over JP '892. It is noted that the Examiner refers to dyes D-17 and D-21 in JP '892. However, it is believed that dyes D-17 and D21 are different from the styryl dyes represented by Formula 1 as claimed herein in the binding position of the dimethine chain. Further, the styryl dyes claimed herein represented by formula 1 are distinct from the dyes D-17 and D-21 because the herein claimed styryl dyes do not have the R² substituent of D17 and D-21, which is an optionally substituted aryl group. In view of this, it is respectfully submitted that dyes D-17 and D-21 are different from the styryl dyes represented by Formula 1 of the present claims.

Additionally, the styryl dyes represented by Formula 1 absorb visible light with a wavelength of around 400 nm as defined in claim 10. In contrast thereto, dyes D-17 and D-21 are considered to have an absorption maximum at a wavelength of around 830 nm because the dyes are used for an optical recording medium in which information is recorded with a

writing light having a wavelength of 830 nm (page 21, left column of JP '892). It is therefore apparent that dyes D-17 and D-21 do not absorb visible light having a wavelength of around 400 nm.

Claims 608, 10-12, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 60-232995 in view of Okusa et al., U.S. 5,166,046.

This rejection is respectfully traversed. Claims 6-8 and 15 have been cancelled. It is believed that claims 10-12 and 18 are not obvious over the combination of JP'995 and Okusa et al. for the following reasons:

JP'995 discloses an optical recording medium which uses as a writing light a laser beam having an oscillation wavelength of 830 nm. Therefore, the dyes used in JP'995 would not absorb visible light with a wavelength of around 400 nm. It should be noted that an optical recording medium using as a writing light a laser beam having an oscillation wavelength of 830 nm provides a recording capacity of at most 650 to 760 MB on one side of a 12 cm diameter disk. In contrast thereto, the optical recording medium claimed herein has a recording capacity of 4.7 GB, that is, about six times that of JP'995 (4.7 GB/760 MB=about 6).

Okusa et al. disclose an invention relating to silver halide photography, which is completely different from

an optical recording medium. It is respectfully submitted that there is no motivation to combine Okusa et al. with JP'995.

Claims 6-8, 10-12, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 60-232995 in view of Okusa et al. further in view of Namba et al., US. 4,412,231, JP 51-018530 and Miura et al., JP 63-256945.

This rejection is respectfully traversed. Claims 6-8 and 15 have been cancelled. It is respectfully submitted that claims 10-12 and 18 are not obvious over the cited prior art references.

Namba'231 and JP 51-018530 disclose inventions relating to photosensitive paper, which is completely different from an optical recording medium. One skilled in the art would not expect photosensitive paper to have the same absorption maximum as an optical recording medium, as the two substrates are completely different. Therefore, there is no motivation to combine these patents with JP'995.

Furthermore, the compounds disclosed in Namba JP'530 are different from the styryl dyes represented by formula 1 as claimed herein. The compounds of Namba'530 do not have a substituent R², which represents an optionally substituted aliphatic hydrocarbon in Formula 3 as claimed herein.

Miura discloses an invention relating to silver halide photography, which is completely different from an optical recording medium. Therefore, it is respectfully submitted that there is no motivation to combine Miura with JP'995.

Namba'231 does not disclose styryl dyes as claimed herein, and it is respectfully submitted that Namba'231 has nothing to do with the presently claimed invention.

Claims 6-8, 10-12, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP-11-314460 in view of JP 6-232995, Okusa et al.'046 and Namba et al.'707

This rejection is respectfully traversed. Claims 6-8 and 15 have been cancelled. It is believed that claims 10-12 and 18 are not obvious over the cited references.

JP'460 discloses dyes used in an optical recording medium. However, the recording layer prepared with the dyes of JP'460 has an absorption maximum at a wavelength of 543 nm or 528 nm (see Examples 1 and 2). The optical recording medium of JP'460 uses as a writing light a laser beam having an oscillation wavelength of 635 nm.

In contrast thereto, the styryl dyes claimed herein absorb visible light having a wavelength of around 400 nm, and the optical recording medium claimed herein uses as a writing light a laser beam having an oscillation wavelength of 450 nm

or less. It is therefore clear that the optical recording medium disclosed in JP'460 is different from that claimed herein, and JP'460 teaches nothing with regard to the optical recording medium claimed herein.

Similarly, the optical recording medium disclosed in Namba'707 uses as a writing light a laser beam having an oscillation wavelength of 830 nm (please see Example 38), which is much longer than that of the herein claimed invention. It is therefore clear that Namba'707 teaches nothing about the herein claimed optical recording medium.

Claims 6-8, 10-12, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP'460 in view of Honda et al., JP 08-179467 and Namba et al. '707.

This rejection is respectfully traversed. Claims 6-8 have been cancelled. It is respectfully submitted that claims 10-12 and 18 are not obvious over the cited references of the following reasons:

Honda relates to silver halide photography, which is completely different from an optical recording medium. Therefore, one skilled in the art would not have been motivated to combine Honda with JP'460, JP'467 and Namba'707.

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In view of the above, it is respectfully submitted
that the claims are now in condition for allowance, and
favorable action thereon is earnestly solicited.

Respectfully submitted,

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